

CUSTOMER NO.: 38107  
EXPEDITED PROCEDURE

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: J. RUSSELL, et al. ) Examiner: N. LAVERT  
Serial No.: 10/597,079 ) ) Art Unit: 4123  
Filed: July 11, 2006 ) ) Confirmation: 6955  
For: **ADAPTIVE** ) )  
**PHYSIOLOGICAL** ) )  
**MONITORING SYSTEM** ) )  
**AND METHODS OF USING** ) )  
**SAME** ) )  
Date of Advisory Action: November 5, 2008 ) )  
Attorney Docket No.: PHUS040020US2 / PKRZ 2 01268 ) ) Cleveland, OH 44114  
November 21, 2008 ) ) November 21, 2008

**REQUEST FOR RECONSIDERATION**

Mail Stop: AF  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Request for Reconsideration is responsive to the Advisory Action of November 5, 2008.

A listing of claims begins on page 2.

Remarks begin on page 11.

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**CERTIFICATE OF ELECTRONIC TRANSMISSION**

I certify that this **REQUEST FOR RECONSIDERATION** and accompanying documents in connection with U.S. Serial No. 10/597,079 are being filed on the date indicated below by electronic transmission with the United States Patent and Trademark Office via the electronic filing system (EFS-Web).

*December 18, 2008*  
Date

*Patricia A. Helm*  
Patricia A. Helm